

25 Which Law Is the Father's? Gender and Generic Oscillation in Pietro Germi's *In the Name of the Law*

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In nome della legge (*In the Name of the Law*) was one of the most popular Italian films of 1949¹ and probably the first film made in Italy to represent the Sicilian mafia. Based on a novel by Giuseppe Guido Lo Schiavo called *The Small Town Magistrate*, it tells of a young magistrate, Guido Schiavi, who struggles to bring the mafia of a small Sicilian town under state jurisdiction. Apparently succeeding in a last-minute conversion of the mafia to state loyalty, Guido prompts an implausible but heart-warming ending in the tradition of popular film narrative. The film became one of the most controversial that year, leading to heated debate in the popular film journal *Cinema*, in which readers responded defensively to the journal's publication of a negative review by Carlo Doglio.² The film's director Pietro Germi was defined as the most 'American' director, and his use of the western genre to treat a distinctly Italian subject matter has been repeatedly underlined ever since.³ As with any major Italian film released in that period, debates revolved around the film's relationship to the critically privileged mode of neorealism, launched by Rossellini and De Sica. Was Germi's populist approach, drawing on generic Hollywood traditions, another nail driven into the coffin of neorealism, considering the genre was already beset by poor box office returns and government censorship? Or was it, as Ennio Flaiano suggested, a 'middle way for Neorealism'⁴ in which Germi fused gripping narrative with the movement's interest in the social? In other words, was the first Italian cinematic engagement with the Sicilian mafia anything more than a skilled exploitation of the latter's good storytelling potential?

The most obvious way in which to answer this question is to think about the film's generic categorization. As the 'new sheriff' (or magistrate) in town, Guido Schiavi finds himself attempting to apply the law to the mafia rebels. The use of the Sicilian landscape over which the outlaws canter towards and away from town, wrapping it firmly in the web of their own law, echoes the representation of Native Americans in the works of John Ford and Anthony Mann, as many western-oriented readings have observed. Germi's bold use of Hollywood-inspired conventions in the context of pertinent social issues went against the neorealist grain. Nonetheless, what is typical of analyses of this period is a perplexity on the part of critics as to the purpose of the female protagonist.⁵ Cinema of the period rarely treated femininity in anything other than a melodramatic mode, and that treatment led to a situation in which the female characters appeared, as Guido Aristarco claimed in relation to Germi's film, 'too schematic.'⁶ More importantly, however, Germi's inclusion of other generic references has gone undetected because the film has been read within a male-dominated critical and generic framework.⁷ Dismissing the scenes between Guido

and the baroness as lapses in judgment on Germi's part, no critic asks why such scenes might in fact be required in a film about the state and the mafia in 1949. Rather than berating Germi's incomplete realism or bemoaning his romantic representation of the mafia,⁸ it is important to ask whether the apparently superfluous is really such. In fact, the 'feminine' subplot can shed more light upon Germi's depiction of the mafia and the state's struggle to know it. It also gives us insight into early cinematic processes of gendering the mafia as a symbolic entity: the logic of the film's framing of the mafia in relation to the state dictates Guido's gender oscillation, a role played by Massimo Girotti. This chapter asks which law is the father's, because that is the question the film asks. It is because the answer to that question is not immediately clear to Guido that femininity plays a particular role in the film. Articulated through elements of the gothic genre in the film, femininity is not only a confirmation of masculinity's dominance but also something to be passed through and discarded on the Oedipal trajectory of masculine development. The difficulty of this rite of passage, as depicted in Germi's film, delivers a political message about the relationship between the Italian state and the mafia.

The youth of the protagonist that Girotti plays is consistently emphasized in dialogue throughout the film. In his unformed state, Guido is thrown into a town riven by tensions between the local mafia and state law. He finds himself faced with a situation in which the paternal law he has inherited (that of the state) appears weak and an unfamiliar patriarchal law (that of the mafia) appears triumphant. Guido's initial failure to establish himself as a key link in the patriarchal line of this town inevitably aligns him with the feminine, which is presented as marginalized, standing in symbolically for what is outside of power. Implicitly accepting the status quo, as the film implies the state itself might be tempted to do, would annihilate his belonging to any paternal line, and with it, the idea of civilization to which the newborn postwar Italian state aspires. The necessity of establishing a paternal line in the face of an imperfect father was central to the concerns of Italian cinema of this period and tied up with discomfort over the disappearance of masculine honour during the fascist *ventennio* and the defeat of the Second World War. In the south, which lacked the symbolic salvation of the resistance, the mafia, cleared of the taint of fascism thanks to their apparent suppression under Mussolini, offered the opportunity for a new symbolic figuration of the honourable paternal law, more alluring than that of the state.

Primarily, however, I emphasize the paternal because these are the terms the film itself uses, in particular in the dynamic between Guido and the capo, Massaro Turi Passalacqua, whose very name carries echoes of the noble savage. He is represented in the old school 'man of honour' form of mafioso characterization, as someone who wishes to do the right thing because the state is 'far away'. His portrayal points forwards, as Umberto Mosca observes, to a tradition of 'the figure of the boss as possessing a charisma typical of tragic characters, indisputable patriarch and bearer of ethics that differentiate him from his young followers.'⁹ It is those lesser men with whom Turi comes into contact that diminish him, the wayward mafioso who kills for lust, or the baron who only has his own interests at heart. The struggle between Turi and Guido is exquisitely Oedipal; the younger man must wrest power away from the worthy but aging father. In two separate exchanges with Guido, Turi refers to his own son, who is studying elsewhere: 'I have a son of your age, who will bring honour to his father.' On both occasions he then restrains his men from harming Guido, as if to drive home the notion of the good father who does not retaliate, and allows the son to identify with patriarchy. The second time, in the face of Guido's final showdown in the central town square, Turi tells him that he would be proud to hear his son talk that way, and that it was

already his intention to hand over the delinquent mafioso to the state. This final act can be read as the wise move of a father who wants his son to be seen to succeed, in both senses of the word. In describing the positive resolution of the Oedipal complex, Fisher and Greenberg describe almost exactly what Turi offers Guido: 'He (the boy) gives up his acute competitive stance vis-à-vis the father because the father transmits friendly, positive messages inviting him to join up rather than fight ... He invites his son to draw close, to form an alliance, to adopt his identity and accept his values.'¹⁰ This inheritance of male power is unquestionably a homosocial matter that takes precedence over any incidental scenes between man and woman, which may be why scenes with Guido and Teresa appear to be distractions to some critics. However, at the same time the scenes act as a heterosexual alibi, all-important in a culture that is so clearly dependent on the homosocial, as Italy's is in this period.¹¹ His heterosexuality established, the vulnerability of the beautiful young townsman Paolino enables Guido to assume the mantle of the father, since Paolino's death at the end of the film triggers Guido's forceful entry into that role and his separation from the symbolic weakness of femininity. If we read Guido's experience as one of oscillation between the patriarchal (power) and maternal (powerlessness), in which the former ultimately takes precedence, Guido's bond with Paolino is a crucial part of that journey, cleared of homosexual suggestion by the affair with Teresa.

The scenes between Guido and the baroness cannot be explained away by a sexual voyeurism designed to appeal to a heterosexual male public. Teresa is dressed modestly and is not shot to exude a powerful sex appeal. The emphasis on romantic music in the soundtrack, both diegetic and extra-diegetic, situates her firmly in the pre-Oedipal maternal sphere of the aural and emotional, as opposed to the sexual and visual. It is the sound of her piano playing that initially attracts Guido, not the sight of her. Her interactions with Guido are rarely physical, but largely sentimentally loaded attempts to warn him away from the town. Teresa is Guido's neighbour, trapped in a loveless marriage of convenience to the baron, whose individualized brand of evil mitigates the mafia threat. Teresa's role is one of suffering (at one point her husband horsewhips her) and passive femininity. 'I no longer have a purpose, neither here nor anywhere else,' she tells Guido, her words conveying the redundancy of the maternal space. As such, she represents a mother figure who ought to be rescued, and union with her is both inviting and instinctive (as the shared passion for music suggests) but ultimately threatening to the self. Teresa exists in the realm of what Julia Kristeva describes as the 'semiotic' or, more specifically, in Elizabeth Wright's words, the *chora*, 'the site of the undifferentiated bodily space the mother and child share,'¹² something Kristeva claims must be repressed in order to achieve symbolic subjectivity.

Scenes with Teresa present a very different environment to that experienced by Guido elsewhere in the film. In these moments, his relationship with space casts him in a cinematic tradition, the gothic, which most often envisages this role for a potentially vulnerable female.¹³ There is little doubt that Guido's story in the town echoes the trajectory of the gothic heroine, not only with its emphasis on the central investigative figure, but because 'the gothic narrative drive is more typically retrogressive than progressive, its complicated and unpredictable narration forces characters, protagonists, readers and viewers to move backwards as well as forwards, and to reprocess their present conditions and knowledge in relation to events or secrets in the past which were not known, or only partly known.'¹⁴ From his arrival in the town, Guido is presented with a situation based upon secrets from the past (such as the history of his predecessor and why the sulphur mine was closed) and alliances that come to light (between the baron and government forces), which

force him to reconsider his relationship to the law. One principal location for these discoveries, conforming to the classical gothic location, is the 'beast's castle,'¹⁵ in this case, the house of the baron. In an early scene where he is making his first call at the palace, the hero appears dwarfed against the large wrought iron gate of his neighbour's residence, and the film thus spatially aligns him with the gothic heroine, who is overwhelmed by her encounter with the space of her new master (see Hitchcock's *Rebecca*, 1940). Guido then makes his way through its lavish, baroque interior, which is filled with mirrors and a mise en abyme of connecting rooms, accompanied by the baroness' passionate piano playing, which sublimates all her unspeakable repression. This is the stuff of melodrama to which critics object. The couple appear twice at night in the overgrown garden between their two properties, again displacing repressed emotion onto the lavish vegetation, which is shot in what is described dismissively by Doglio as 'Turkish harem style.'¹⁶ These internal or dark, claustrophobic spaces are cast in the classically Freudian reading of the maternal space as swamping, and contrast starkly with the arid, desert-like, open and challenging 'western' spaces of the daytime mafia confrontations.

It is not only the spaces of the film that mark out these two gendered and generic positions, which would appear crude if articulated only at this level. What gives them life blood is the filmic use of Massimo Girotti's fluidity as an actor. Girotti incarnates a typically masculine strength (drawn from his physique as former champion swimmer)¹⁷ combined with a feminine grace and delicacy. The clarity of his light-eyed gaze and high forehead give him an openness that is able to connote vulnerability with a sideways glance. For most of his career this enabled him to cross between action and sentimental roles, appealing to audiences of all persuasions. His profile echoes Grecian ideals of male beauty, and at least one critic of the time observed the dangers of Girotti being beautiful as a man, suggesting that such ideals connote a weak and degenerate masculinity.¹⁸ This aspect of Girotti's cultural context is fully exploited in this film, enabling us temporarily to read him as the gothic heroine who is venturing into Bluebeard's castle. He, like Teresa, runs the risk of remaining compromised, because of his resignation to his powerlessness, or because of his death or disappearance (like that of his predecessor).

Additionally, as Derek Duncan has suggested, Girotti's fluidity meant that in some films he could be screened as a 'tabula rasa'¹⁹ upon which different characters could project their own desires. *In the Name of the Law* is one of those films: for Turi Passalacqua, Guido becomes the son he wants to inherit his own legacy; for Paolino, he becomes the protective father; for Teresa, he becomes the potential partner; and for his superior, he becomes the man who might toe the line and move on to a different job, quietly acquiescing to the state's incompetence.

Indeed, Teresa's ambitions to leave the town with Guido do coincide with his superior's advice to bow down in the face of this disorder and get out of town. Teresa and the superior appear in Guido's apartment together with the same message in different forms. Guido nearly does follow their suggestion when he joins Teresa with her bags packed on the road leading out of town. While he moves towards her and her car, he is interrupted by the appearance of his loyal *maresciallo* to be told something that will separate him from Teresa forever. As Guido moves towards and then away from the car, his oscillation between the feminine and the masculine is dramatized spatially once again. The news is that he has failed his surrogate son: Paolino has been shot by the mafia for attempting to marry his sweetheart, a girl wanted by a member of the mafia gang. It is at this point that Guido orders the ringing of the church bells to call the entire town to a 'trial' in the main

square, where, witnessed by all, he assumes the guise of patriarch. In order to do so, the potentially 'feminine' state he represents must find a way to live by the law of the father. Ultimately it is the mafia father who allows this to happen by bringing Guido on side and allowing him to arrest the wayward mafioso. As Guido accepts this reconciliation, we see Teresa turn away and leave in tears, a 'mater dolorosa' sacrificing her 'son' to the salvation of mankind.

In conclusion, it is important to understand how the male hero fluctuates between the poles of a troubled 'western' sheriff and a persecuted 'gothic' heroine in his engagement with the mafia, between masculine and feminine, paternal and maternal identificatory trajectories. In this way we can see how the film uses gender and genre in a subtler fashion than hitherto assumed and shows how a resolution between the competing legal codes of state and mafia is as fragile as the resolution of gender identity itself. Alberto Crespi has defended the controversial ending of Germi's film as making sense generically, describing Turi's sudden 'conversion' as in keeping with a 'Western logic'.²⁰ However, when we acknowledge the role that gender, as well as the gothic genre, has to play in this – the hasty exclusion of the feminine underscoring the superficial nature of this shift in Guido's narrative from regressive to progressive – we can confirm that ultimately the ending does make a telling social commentary: which law is the father's? Mafia law.

NOTES

- 1 With box office takings of 401,000,000 lire, the film was ranked as the third highest grossing Italian film of the 1948–49 season.
- 2 Carlo Doglio, 'Personaggi equivoci e nuova decadenza,' *Cinema 21* (1949): 96–7.
- 3 This was regarded as being in line with the Hollywood influence seen in his previous film *Gioventù perduta* (1947), associated with the film noir tradition. See Stefania Carpieci, 'Hollywood "all'italiana,"' in *Pietro Germi: Viaggio nel cinema italiano*, ed. Stefania Carpieci (Rome: Massenzio, 1995), 10–21.
- 4 Ennio Flaiano, *Il mondo* 9, 16 April 1949.
- 5 Doglio dismisses 'the abysmal relationship between the judge and the baronessa' in 'Personaggi equivoci e nuova decadenza,' 96; Guido Aristarco writes that 'perhaps the love interest is introduced more as a commercial compromise than a narrative necessity' in his review in *Cinema 13* (1949): 412–13; Sandro Zambotti writes of 'the decidedly superfluous baroness and her affairs of the heart' in 'Pietro Germi,' *Cineforum* 35 (1964): 417; and see also the review of the film in *Bianco e nero* 5 (1949): 85–86.
- 6 Aristarco in *Cinema 13*, 412–13.
- 7 See Catherine O'Rawe, "'I padri e i maestri': Genre, Auteurs and Absences in Italian Film Studies,' *Italian Studies* 63, no. 2 (2008): 173–94.
- 8 Massimo Massara, 'Italiani di 2a categoria,' *Cinema sessanta* 32 (1963): 39–42.
- 9 Umberto Mosca, 'Cinema e Mafia,' *Panoramiche* 7 (1994): 11–12.
- 10 Seymour Fisher and Roger P. Greenberg, *The Scientific Credibility of Freud's Theories and Therapy* (New York: Basic Books, 1977), 222.
- 11 Sergio Rigoletto, 'The Normative Gender Rhetoric of *l'italiano medio*,' in *Italy on Screen: Inter-Disciplinary Perspectives on Italy and Cinema*, ed. Lucy Bolton and Christina Siggers (London: Peter Lang, 2010).
- 12 Elizabeth Wright, *Feminism and Psychoanalysis: A Critical Dictionary* (Oxford: Blackwell, 1992), 195.

- 13 See Helen Hanson, *Hollywood Heroines: Women in Film Noir and the Female Gothic Film* (London: I.B. Tauris, 2007), for a discussion of 'the female gothic cycle, one of the most popular, critically and commercially successful cycles of films in 1940s Hollywood' (33).
- 14 Ibid., 35.
- 15 Ibid., 68.
- 16 Doglio, 'Personaggi equivoci e nuova decadenza,' 96.
- 17 Girotti is referred to as a 'Weissmüller italiano' and 'nuovo Tarzan,' in F. Càllari, 'Massimo Girotti: dal pelago alla riva,' *Primi piani* (7–8 August 1942): 61.
- 18 Renzo Renzi, 'Massimo Girotti,' *Cinema* 13 (1949): 406.
- 19 Derek Duncan, 'Ossessione,' in *European Cinema and National Identity*, ed. Jill Forbes and Sarah Street (New York: Macmillan, 2000), 95–108.
- 20 Alberto Crespi, 'In nome della legge (del West),' in *Pietro Germi: Viaggio nel cinema italiano*, ed. Stefania Carpieci (Rome: Massenzio, 1995), 49.